

min B<sub>1</sub> per ounce; and 502 (a)—the label statement "Vitamin B<sub>1</sub> (\* \* \* 5 Mgm. per ounce)" was false and misleading as applied to the article, which contained less than 5 mg. of vitamin B<sub>1</sub> per ounce.

DISPOSITION: 9-14-56. Default—destruction.

**5154. Fer-A-Bin tablets.** (F. D. C. No. 39568. S. No. 50-526 M.)

QUANTITY: 8 1,000-tablet btls. and 9 100-tablet btls. at Los Angeles, Calif.

SHIPPED: 3-2-49, from Cedar Rapids, Iowa.

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than the declared amount of thiamine chloride.

LIBELED: 9-17-56, S. Dist. Calif.

CHARGE: 501 (c)—the strength of the article, while held for sale, differed from that which it was represented to possess, namely, 1 mg. of thiamine chloride; and 502 (a)—the label statement "Each Tablet Contains \* \* \* Thiamin Chloride . . . 1 mgm." was false and misleading.

DISPOSITION: 10-11-56. Default—destruction.

## DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

### DRUGS FOR HUMAN USE\*

**5155. Herbal drugs.** (Inj. No. 301.)

COMPLAINT FOR INJUNCTION FILED: 10-4-56, N. Dist. Ind., against Deonisie Daniel Chirila, t/a Naturopathic Health Clinic; Chirila Naturopathic Clinic; Dr. Chirila's Health Clinic; Chirila Health Clinic; Dr. Chirila, N. D., Foundation of Physical Medicine; Chirila's Foundation of Physical Medicine; Dr. Deonisie D. Chirila's Health Clinic; Chirila Naturopathic Sanitarium-Clinic; and Chirila Sanitarium, at Elkhart, Ind.

CHARGE: The complaint alleged that the defendant was engaged in the business of manufacturing, preparing, selling, and distributing in interstate commerce various *herbal drugs* for human ailments; that the defendant maintained at his place of business a stock of bulk raw materials consisting of drugs, herbs, oils, salves, and extracts compounds which were received from interstate sources and were for use in the manufacture of the above-mentioned *herbal drugs*; that in the sale and distribution in interstate commerce of the *herbal drugs*, the defendant employed two methods, as follows: (1) Upon receipt of orders for such drugs, the defendant would deliver the drugs to the post office at Elkhart, Ind., for shipment to the individual purchasers and (2) in the course of personal interviews at Elkhart, Ind., with prospective out-of-state customers, the defendant would make a diagnosis of the customers' diseases and conditions and offer to sell such customers one or more of the *herbal drugs* for use in the treatment of the diagnosed diseases and conditions; and that when the *herbal drugs* were so sold and delivered, the defendant caused the drugs to be accompanied by one or more of the following pieces of labeling: pamphlets entitled "Advance Knowledge of the Cause of Human Ailments—Their Diagnosis and Beneficial Methods of Treatment Aid," "Scientific Development of Diagnosis and Treatment of the Human Body," "The Human Body and Its Physical Make-Up in Health or Unhealth," and "Dr. Chirila's Exercises for General Health—Supplement To Nature's Advanced Physician Health Guide"; booklets entitled "The Iris-Feet-Physical Diagnosis Interpret-

\*See also Nos. 5146-5154.